

EXHIBIT 1



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April 27, 2023

Katie M. Charleston
Katie Charleston Law, P.C.
9151 Atlanta Avenue No. 6427
Huntington Beach, CA 92615
katie@katiecharlestonlaw.com

Re: *Polychron v. Bezos et al.*
Case No. 2:23-cv-02831-SVW-E

Dear Ms. Charleston:

We are outside litigation counsel for Amazon Studios LLC, Amazon Content Services LLC, Jeff Bezos, Jennifer Salke, Patrick McKay, and John D. Payne (collectively, the “Amazon Defendants”) in the above-captioned action. The lawsuit you filed lacks any merit whatsoever and, unless you voluntarily dismiss it, we will move to dismiss the case and seek our attorneys’ fees after we prevail.

Mr. Polychron alleges that the Amazon Defendants’ series, *Rings of Power* (the “Series”), somehow infringes his book, *The Fellowship of the King* (the “Book”), but he has expressly admitted that the Book is a “sequel” to J.R.R. Tolkien’s iconic work *The Lord of the Rings*. The Book features numerous characters and other elements copied directly from Tolkien and thus constitutes an indisputable infringement of Tolkien’s works.

The audacity in filing a copyright infringement lawsuit over the Amazon Defendants’ *authorized* adaptation of Tolkien’s works will not be rewarded. As you likely know, courts across the country, including in the Central District of California, have held that the Copyright Act “most certainly precludes the author of an unauthorized infringing derivative work from suing the author of the work which he has already infringed.” *Anderson v. Stallone*, 1989 WL 206431, at *11 (C.D. Cal. Apr. 25, 1989). *See also Pickett v. Prince*, 207 F.3d 402, 404, 407 (7th Cir. 2000) (dismissing copyright infringement claim when the plaintiff “claim[e]d the right to copyright a work derivative from another person’s copyright without that person’s permission and then to sue that person for infringement by the person’s own derivative work”).


Even if the Book did not infringe Tolkien’s works, which it does, the alleged similarities between the Book and the Series are original to Tolkien, unprotectable *scenes a faire* or generic elements, or they are blatant mischaracterizations of the Series. None of the alleged similarities identified in your complaint are protectable and none of them support an infringement claim.

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We are confident that a court will see through Mr. Polychron's baseless claims and dismiss them. Once that happens we will promptly move to recover our attorneys' fees expended in defeating this meritless action.

If you and your client decide to ignore these warnings and you proceed with this litigation, please reach out to me to discuss at your earliest convenience. We will likely accept service for all of the Amazon Defendants in this matter. As is customary, this letter does not set forth all of our client's rights, remedies, and defenses, all of which are expressly reserved.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Jampol', with a stylized flourish at the end.

Nicolas A. Jampol

DAVIS WRIGHT TREMAINE LLP